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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/797,401

03/09/2004

Marc Radow

501120-014

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7590

08/06/2007

Marc Radow
1900 Joy Lake Road
Reno, NV 89511

EXAMINER

GROSSO, HARRY A

ART UNIT

PAPER NUMBER

3781

MAIL DATE

DELIVERY MODE

08/06/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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Interview Summary	Application No.	Applicant(s)	
	10/797,401	RADOW, MARC	
	Examiner	Art Unit	
	Harry A. Grosso	3781	

All participants (applicant, applicant's representative, PTO personnel):

(1) Harry A. Grosso.

(3) Marc Radow.

(2) James Henricks.

(4) _____.

Date of Interview: 31 July 2007.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.
If Yes, brief description: _____.

Claim(s) discussed: _____.

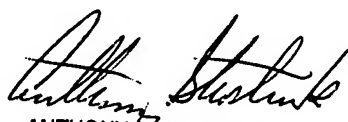
Identification of prior art discussed: Phalin (4,405,058).

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

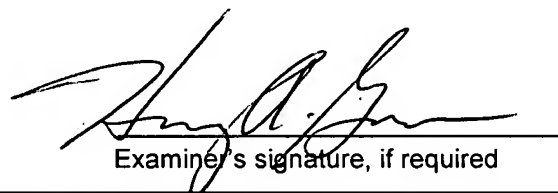
Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.


ANTHONY D. STASHICK
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3700

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.


Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: The discussion addressed whether claims 1-18 are anticipated by or are obvious over Phalin. Mr. Henricks and Mr. Radow indicated that they did not think Phalin anticipated the claims because Phalin's invention is a container wherein the height is greater than the diameter. Containers with height less than the diameter were disclosed as prior art containers and there is no indication in Phalin that the prior art containers were made with the bottom profile disclosed in Phalin. Mr. Henricks and Mr. Radow also did not feel that the instant invention was obvious over Phalin since there was no motivation to use the bottom profile of Phalin in the prior art container and no teaching that the bottom profile of Phalin would work in a container where the diameter was larger than the height. Examiner Grosso indicated he felt the anticipation rejection was proper since Phalin does not identify the bottom profile as requiring or being unique to the drawing operation disclosed by Phalin. Examiner Grosso further indicated that even if the anticipation rejection were withdrawn, the obviousness rejection would still be maintained since both the prior art containers and the container of Phalin are analogous art and knowledge of the bottom profile of Phalin would be generally available to one of ordinary skill in the art. Mr. Radow inquired about the inclusion of dimensions such as the height relationship of the raised portion to the container height as a limitation in the claims to differentiate over Phalin. Examiner Grosso indicated that the limitations would have to be supported by the original disclosure and have some criticalness such that they did not represent mere design choice.